

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

CHARLIE B. BUSH JR.,  
)  
)  
Plaintiff,  
)  
v.  
)  
DONNER STEEL WORKS,  
)  
Defendant.  
)

# MEMORANDUM AND ORDER

This matter is before the court on its own motion. On October 16, 2013, the court conducted an initial review of Plaintiff Charlie B. Bush Jr.’s (“Bush”) Complaint and concluded that his general allegations of discrimination did not state a claim upon which relief could be granted against his former employer, Defendant Donner Steel Works (“Donner”). (Filing No. [7](#).) However, the court provided Bush with the opportunity to file an amended complaint. ([Id.](#))

On December 9, 2013, Plaintiff filed an Amended Complaint. (Filing No. [10](#).) As with his original Complaint, Plaintiff's Amended Complaint fails to allege sufficient facts to state a claim upon which relief may be granted against the Defendant. In particular, Plaintiff failed to allege that he was meeting the legitimate expectations of his employer, and failed to file a copy of his charge and right-to-sue notice from the Equal Employment Opportunity Commission or Nebraska Equal Opportunity Commission. (*See* Filing Nos. [7](#) and [10](#).) For these reasons, and for the reasons set forth in the court's October 16, 2013, Memorandum and Order, this matter is dismissed.

IT IS THEREFORE ORDERED that:

1. This matter is dismissed without prejudice for failure to state a claim upon which relief may be granted.

2. A separate judgment will be entered in accordance with this Memorandum and Order.

DATED this 14<sup>th</sup> day of April, 2014.

BY THE COURT:

*Richard G. Kopf*  
Senior United States District Judge

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